



General Assembly

January Session, 2019

Committee Bill No. 5355

LCO No. 4132



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

**AN ACT CONCERNING VOTING REQUIREMENTS FOR
ESTABLISHING A SPECIAL TAXING DISTRICT TO MAINTAIN WATER
QUALITY IN A LAKE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-325 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) Upon the petition of fifteen or more voters [, as defined by
4 section 7-6,] of any town, specifying the limits of a proposed district for
5 any or all of the purposes set forth in section 7-326, the selectmen of
6 such town shall call a meeting of the voters residing within such
7 specified limits to act upon such petition, which meeting shall be held
8 at such place within such town and such hour as the selectmen
9 designate, within thirty days after such petition has been received by
10 such selectmen. Such limits shall contain only contiguous property,
11 except any proposed district which is proposed to be established only
12 to plan, lay out, acquire, construct, reconstruct, repair, maintain,
13 operate and regulate the use of a community water system or to
14 construct and maintain drains and sewers or both and which does not
15 exercise any of the other powers enumerated in section 7-326, may

16 contain noncontiguous properties if the properties proposed to be
17 included are, or are to be, served by a common water or sewer main.
18 Such meeting shall be called by publication of a written notice of the
19 same, signed by the selectmen, at least fourteen days before the time
20 fixed for such meeting in two successive issues of some newspaper
21 published or circulated in such town. Not later than twenty-four hours
22 before such meeting, (1) two hundred or more voters or ten per cent of
23 the total number of voters, whichever is less, may petition the
24 selectmen in writing for a referendum, or (2) the selectmen in their
25 discretion may order a referendum, on the sole question of whether
26 the proposed district should be established. Any such referendum
27 shall be held not less than seven nor more than fourteen days after the
28 receipt of such petition or the date of such order, on a day to be set by
29 the selectmen for a vote by paper ballots or by a "yes" or "no" vote on
30 the voting machines, during the hours between twelve o'clock noon
31 and eight o'clock p.m.; except that any town may, by vote of its
32 selectmen, provide for an earlier hour for opening the polls but not
33 earlier than six o'clock a.m., notwithstanding the provisions of any
34 special act to the contrary. If two-thirds of the voters, or in the case of a
35 proposed district to maintain water quality in a lake, a majority of
36 voters, casting votes in such referendum vote in favor of establishing
37 the proposed district, the selectmen shall reconvene such meeting not
38 later than seven days after the day on which the referendum is held.
39 Upon approval of the petition for the proposed district by two-thirds
40 of the voters present at such meeting, or in the case of a proposed
41 district to maintain water quality in a lake, upon approval of a majority
42 of voters present at such meeting, or if a referendum is held, upon the
43 reconvening of such meeting after the referendum, the voters may
44 name the district and, upon the vote of a majority of such voters,
45 choose necessary officers therefor to hold office until the first annual
46 meeting thereof; and the district shall, upon the filing of the first report
47 required pursuant to subsection (c) of this section, thereupon be a body
48 corporate and politic and have the powers, not inconsistent with the
49 general statutes, in relation to the objects for which it was established,
50 that are necessary for the accomplishment of such objects, including

51 the power to lay and collect taxes. The clerk of such district shall cause
52 its name and a description of its territorial limits and of any additions
53 that may be made thereto to be recorded in the land records of each
54 town in which such district is located.

55 (b) Any district may enlarge or reduce its territorial limits if the
56 board of directors of the district approves a resolution proposing such
57 an enlargement or reduction and stating the proposed boundaries of
58 the area proposed to be included or excluded, as the case may be,
59 provided: (1) The board of directors of the district shall call a meeting
60 of voters of the area proposed to be included or excluded, which
61 meeting shall be held within thirty days of the board of directors'
62 approval of such resolution and shall be called by publication of a
63 written notice of the same, signed by the members of the board of
64 directors of the district, at least fourteen days before the time fixed for
65 such meeting in two successive issues of some newspaper published or
66 circulated in such town, provided not later than twenty-four hours
67 before any such meeting, two hundred or more such voters or ten per
68 cent of the total number of such voters, whichever is less, may petition
69 the clerk of the district, in writing, that a referendum on the question
70 of whether the area proposed to be included or excluded should join or
71 leave the district be held in the manner provided in section 7-327; (2) a
72 two-thirds majority of the voters of the area proposed to be included or
73 excluded in attendance at such meeting, or, if a referendum is held,
74 two-thirds of such voters casting votes in such referendum, vote in
75 favor of joining or leaving such district; (3) that any area to be added is
76 contiguous with some portion of the existing district; [] and (4) if the
77 enlargement of the territorial limits of the district will overlap the
78 territorial limits of another district within the town, the legislative
79 body of the town approves such enlargement. If any district enlarges
80 or reduces its territorial limits, the clerk of such district shall notify the
81 town clerk of each town affected by such enlargement or reduction
82 within thirty days after the vote.

83 (c) The clerk of each district created pursuant to this chapter or any

84 provisions of the general statutes or any special act, shall report to the
 85 town clerk of each town in which such district is located: (1) If created
 86 by approval of a petition pursuant to subsection (a) of this section on
 87 or after July 1, 1987, within seven days of such approval; and (2) on or
 88 before July 31, 1993, and annually thereafter for each such district,
 89 irrespective of the date of creation. The first report filed after the
 90 creation of a district shall include a list of the officers of such district, a
 91 copy of the charter or special act of such district and such other
 92 information on the organization and the financial status of such district
 93 as the Secretary of the Office of Policy and Management may
 94 recommend. A copy of the charter or special act of such district shall
 95 be included in any subsequent report if such charter or special act was
 96 amended after the date of the previous filing. No district, irrespective
 97 of the date of creation, created by approval of a petition pursuant to
 98 subsection (a) of this section shall exist as a body corporate and politic
 99 until the clerk of such district has filed at least one report required by
 100 this subsection. If a district is located in more than one town, the report
 101 shall be filed by the district clerk with the town clerk of each town in
 102 which the district is located.

103 (d) Any fine imposed on and after July 1, 1992, on a clerk for failure
 104 to file a report required pursuant to subsection (c) of this section shall
 105 be waived.

106 (e) For the purposes of this section, "voter" means a person
 107 authorized to vote pursuant to section 7-6, except, in the case of a vote
 108 concerning a proposed district to maintain water quality in a lake, a
 109 voter shall not be required to be an elector of the town in which such
 110 district is proposed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	7-325

PD *Joint Favorable*

